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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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BRANDY LYNN FIELDS,

Plaintiff,

v.

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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: **CONSENT ORDER TO REMAND**
: **PURSUANT TO SENTENCE 4 OF**
: **42 U.S.C. § 405(g)**
:
: Hon. Norman A. Mordue, D.J.
: Hon. Earl S. Hines, M.J.
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: Civil Action No. 7:12-cv-13
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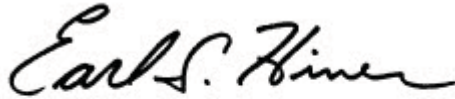
This matter having been opened to the Court by RICHARD S. HARTUNIAN, United States Attorney for the Northern District of New York, and Jason P. Peck, Special Assistant United States Attorney, attorneys for Defendant, for an Order remanding the within cause of action to the Defendant pursuant to sentence 4 of 42 U.S.C. § 405(g) so that the following further administrative action may be taken; (1) the ALJ will give the Plaintiff an opportunity for a new hearing; (2) the ALJ will re-evaluate the Plaintiff's alleged impairments; (3) the ALJ and the Plaintiff may further develop the record; (4) the ALJ will evaluate Dr. Razzaq's assessment and

re-assess the Plaintiff's residual functional capacity, and; (5) the ALJ will consolidate this claim with the Plaintiff's application(s) subsequently filed on August 8, 2012.

Therefore, the Plaintiff, through the undersigned attorney, Peter L. Walton, Esq., having consented to the within order and the requested remand, and the Court having considered the matter,

IT IS on this 7th day of Sept, 2012;

ORDERED that the final decision of the Commissioner be and hereby is REVERSED, and the matter is REMANDED to the Defendant for the further administrative action set forth above, and it is further ORDERED that the within matter, be and hereby is, DISMISSED in accord with the decision in Melkonyan v. Sullivan, 501 U.S. 89 (1991).



Earl S. Hines
United States Magistrate Judge

The undersigned hereby consent to the form and entry of the within order.

RICHARD S. HARTUNIAN
United States Attorney

By: /s Jason Peck
JASON P. PECK
Special Assistant U.S. Attorney
Bar No. 516605

CONBOY, McKAY, BACHMAN & KENDALL, LLP

By: s/ Peter L. Walton
PETER L. WALTON, ESQ.
Attorney for Plaintiff